

P ENT COOPERATION TREA

PCT

From the INTERNATIONAL BUREAU

NOTIFICATION OF THE RECORDING
OF A CHANGE(PCT Rule 92bis.1 and
Administrative Instructions, Section 422)

To:

HUSKISSON, Frank, Mackie
Syngenta Limited
Intellectual Property Dept.
Jealott's Hill International
Research Centre
P.O. Box 3538
Bracknell, Berkshire RG42 6YA
ROYAUME-UNI

Date of mailing (day/month/year) 06 juillet 2001 (06.07.01)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference PPD 50431/WO	
International application No. PCT/GB00/02457	International filing date (day/month/year) 23 juin 2000 (23.06.00)

1. The following indications appeared on record concerning:		
<input checked="" type="checkbox"/> the applicant	<input type="checkbox"/> the inventor	<input type="checkbox"/> the agent <input type="checkbox"/> the common representative
Name and Address SYNGENTA LIMITED Fernhurst Haslemere Surrey GU27 3JE United Kingdom	State of Nationality GB	State of Residence GB
	Telephone No.	
	Facsimile No.	
	Teleprinter No.	
2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:		
<input type="checkbox"/> the person	<input type="checkbox"/> the name	<input checked="" type="checkbox"/> the address <input type="checkbox"/> the nationality <input type="checkbox"/> the residence
Name and Address SYNGENTA LIMITED Fernhurst Haslemere Surrey GU27 3JE United Kingdom	State of Nationality GB	State of Residence GB
	Telephone No.	
	Facsimile No.	
	Teleprinter No.	
3. Further observations, if necessary:		
4. A copy of this notification has been sent to:		
<input checked="" type="checkbox"/> the receiving Office	<input type="checkbox"/> the designated Offices concerned	
<input type="checkbox"/> the International Searching Authority	<input checked="" type="checkbox"/> the elected Offices concerned	
<input type="checkbox"/> the International Preliminary Examining Authority	<input type="checkbox"/> other:	

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Dominique DELMAS
Facsimile No.: (41-22) 740.14.35	Telephone No.: (41-22) 338.83.38

P A T E N T C O O P E R A T I O N T R E A T Y

PCT

NOTIFICATION OF THE RECORDING OF A CHANGE

(PCT Rule 92bis.1 and
Administrative Instructions, Section 422)

From the INTERNATIONAL BUREAU

To:

HUSKISSON, Frank, Mackie
Syngenta Limited
Intellectual Property Dept.
Jealott's Hill International
Research Centre
P.O. Box 3538
Bracknell, Berkshire RG42 6YA
ROYAUME-UNI

Date of mailing (day/month/year) 24 April 2001 (24.04.01)	
Applicant's or agent's file reference PPD 50431/WO	IMPORTANT NOTIFICATION
International application No. PCT/GB00/02457	International filing date (day/month/year) 23 June 2000 (23.06.00)

1. The following indications appeared on record concerning:

☒ the applicant
 ☐ the inventor
 ☐ the agent
 ☐ the common representative

Name and Address ZENECA LIMITED 15 Stanhope Gate London W1Y 6LN United Kingdom	State of Nationality	State of Residence
	Telephone No.	
	Facsimile No.	
	Teleprinter No.	

2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:

☐ the person
 ☒ the name
 ☒ the address
 ☐ the nationality
 ☐ the residence

Name and Address SYNGENTA LIMITED Fernhurst Haselmere Surrey GU27 3JE United Kingdom	State of Nationality	State of Residence
	Telephone No.	
	Facsimile No.	
	Teleprinter No.	

3. Further observations, if necessary:

Change of name and address only. Address of the agent has also changed.

4. A copy of this notification has been sent to:

☒ the receiving Office
 ☐ the designated Offices concerned
☐ the International Searching Authority
 ☒ the elected Offices concerned
☒ the International Preliminary Examining Authority
 ☐ other:

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer Anman QIU Telephone No.: (41-22) 338.83.38
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INTERNATIONAL COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner
US Department of Commerce
United States Patent and Trademark
Office, PCT
2011 South Clark Place Room
CP2/5C24
Arlington, VA 22202
ETATS-UNIS D'AMERIQUE
in its capacity as elected Office

Date of mailing: 04 January 2001 (04.01.01)	
International application No.: PCT/GB00/02457	Applicant's or agent's file reference: PPD 50431/WO
International filing date: 23 June 2000 (23.06.00)	Priority date: 29 June 1999 (29.06.99)
Applicant: GRIFFIN, Jonathan et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International preliminary Examining Authority on:
29 November 2000 (29.11.00)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was

☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer: J. Zahra Telephone No.: (41-22) 338.83.38
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PATENT COOPERATION TREATY

PTO/PCT Rec'd 21 DEC 2001

PCT

REC'D 06 JUN 2001

WIPO PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT PCT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PPD 50431/WO	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/GB00/02457	International filing date (day/month/year) 23/06/2000	Priority date (day/month/year) 29/06/1999
International Patent Classification (IPC) or national classification and IPC C12N15/31		
Applicant SYNTEGA LIMITED et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This REPORT consists of a total of 5 sheets, including this cover sheet.

- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☒ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand 29/11/2000	Date of completion of this report 01.06.2001
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Claes, B Telephone No. +49 89 2399 8429 <div style="text-align: right;">  </div>

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/GB00/02457

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, pages:

1-29 as originally filed

Claims, No.:

1-51 as originally filed

Drawings, sheets:

1/5-5/5 as originally filed

Sequence listing part of the description, pages:

1-27, as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☒ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☒ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☒ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/GB00/02457

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been examined in respect of:

- ☐ the entire international application.
- ☒ claims Nos. 4,5,47(partially), 19,20,26.

because:

- ☒ the said international application, or the said claims Nos. 26 relate to the following subject matter which does not require an international preliminary examination (*specify*):
see separate sheet
 - ☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. are so unclear that no meaningful opinion could be formed (*specify*):
 - ☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.
 - ☒ no international search report has been established for the said claims Nos. 4,5,47(partially), 19,20.
2. A meaningful international preliminary examination cannot be carried out due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:
- ☐ the written form has not been furnished or does not comply with the standard.
 - ☐ the computer readable form has not been furnished or does not comply with the standard.

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/GB00/02457

1. Statement

Novelty (N)	Yes:	Claims	1-18,21-25,27-51
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-18,21-25,27-51
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-18,21-25,27-51
	No:	Claims	

2. Citations and explanations see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:
see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/GB00/02457

Re Item III

Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

Claims 4.5 and 47 (partially): see International Search Report for limitation of search efforts.

Claims 19 and 20: the subject of this claims lacks any technical features which would allow an assessment of novelty and inventive step. Consequently also all claims referring to this claim and in this respect are fully unclear and not examined in that respect.

Claim 26: Article 34(4)(a)(i) and Rule 67.1(ii) PCT

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. None of the documents cited in the International Search Report impair the novelty of or render the subject matter of the claims obvious.
2. Claims 4.5 and 47 have been examined to the extent that their subject matter has been searched.
3. All statements to claims referring to claims 19 and 20 are excluding such references in the claims.

Re Item VIII

Certain observations on the international application

1. Claims 37 and 38 lack the descriptive technical features which would render such claim clear in accordance with Article 6 PCT.

PATENT COOPERATION TREATY

PTO/PCT Rec'd 21 DEC 2001

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

HUSKISSON, Frank M.
ZENECA AGROCHEMICALS
Intellectual Property Department
Jealott's Hill Research Station
P.O Box 3538
Bracknell, Berkshire RG42 6YA
GRANDE BRETAGNE

SCANNED ALL
PAGES

DOE

PCT

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL PRELIMINARY
EXAMINATION REPORT
(PCT Rule 71.1)

Date of mailing
(day/month/year)

01.06.2001

Applicant's or agent's file reference
PPD 50431/WO

IMPORTANT NOTIFICATION

International application No.
PCT/GB00/02457

International filing date (day/month/year)
23/06/2000

Priority date (day/month/year)
29/06/1999

Applicant **SYNTEGA**
SYNTEGA LIMITED et al.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing address of the IPEA/

 European Patent Office
D-80298 Munich
Tel. +49 89 2399 - 0 Tx: 523656 epmu d
Fax: +49 89 2399 - 4465

Authorized officer

Büchler, S

Tel. +49 89 2399-8090



PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)


Applicant's or agent's file reference PPD 50431/WO	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/GB00/02457	International filing date (day/month/year) 23/06/2000	Priority date (day/month/year) 29/06/1999
International Patent Classification (IPC) or national classification and IPC C12N15/31		
Applicant SYNTEGA LIMITED et al.		

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 - ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

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3. This report contains indications relating to the following items:

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- II ☐ Priority
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- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand 29/11/2000	Date of completion of this report 01.06.2001
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Claes, B Telephone No. +49 89 2399 8429



INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/GB00/02457

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, pages:

1-29 as originally filed

Claims, No.:

1-51 as originally filed

Drawings, sheets:

1/5-5/5 as originally filed

Sequence listing part of the description, pages:

1-27, as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☒ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☒ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☒ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/GB00/02457

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been examined in respect of:

- ☐ the entire international application.
- ☒ claims Nos. 4,5,47(partially), 19,20,26.

because:

- ☒ the said international application, or the said claims Nos. 26 relate to the following subject matter which does not require an international preliminary examination (*specify*):
see separate sheet
- ☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. are so unclear that no meaningful opinion could be formed (*specify*):
- ☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.
- ☒ no international search report has been established for the said claims Nos. 4,5,47(partially), 19,20.

2. A meaningful international preliminary examination cannot be carried out due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:

- ☐ the written form has not been furnished or does not comply with the standard.
- ☐ the computer readable form has not been furnished or does not comply with the standard.

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/GB00/02457

1. Statement

Novelty (N)	Yes:	Claims	1-18,21-25,27-51
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-18,21-25,27-51
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-18,21-25,27-51
	No:	Claims	

2. Citations and explanations
see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:
see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/GB00/02457

Re Item III

Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

Claims 4,5 and 47 (partially): see International Search Report for limitation of search efforts.

Claims 19 and 20: the subject of this claims lacks any technical features which would allow an assessment of novelty and inventive step. Consequently also all claims referring to this claim and in this respect are fully unclear and not examined in that respect.

Claim 26: Article 34(4)(a)(i) and Rule 67.1(ii) PCT

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. None of the documents cited in the International Search Report impair the novelty of or render the subject matter of the claims obvious.
2. Claims 4,5 and 47 have been examined to the extent that their subject matter has been searched.
3. All statements to claims referring to claims 19 and 20 are excluding such references in the claims.

Re Item VIII

Certain observations on the international application

1. Claims 37 and 38 lack the descriptive technical features which would render such claim clear in accordance with Article 6 PCT.

INTERNATIONAL SEARCH REPORT

International Application No
PCT/GB 00/02457

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 C12N15/31 C07K14/47 A01H5/00 C12N15/86

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 C12N C07K A01H

Documentation searched other than minimum documentation searched in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, BIOSIS

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	PATENT ABSTRACTS OF JAPAN vol. 1999, no. 04, 30 April 1999 (1999-04-30) & JP 11 012280 A (HOKKO CHEM IND CO LTD; MICROBIAL CHEM RES FOUND), 19 January 1999 (1999-01-19) the whole document --- -/-	

☒ Further documents are listed in the continuation of box C.

☐ Patent family members are listed in annex.

* Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

28 September 2000

Date of mailing of the international search report

13/10/2000

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Smalt, R

INTERNATIONAL SEARCH REPORT

Int. Application No
PCT/GB 00/02457

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>DATABASE BIOSIS 'Online! BIOSCIENCES INFORMATION SERVICE, PHILADELPHIA, PA, US; 1995 BOLCKMANS K ET AL: "PreFeRaI, (Paecilomyces fumosoroseus strain Apopka 97), A new microbial insecticide for the biological control of whiteflies in greenhouses." Database accession no. PREV199699101197 XP002148687 the whole document & MEDEDELINGEN FACULTEIT LANDBOUWKUNDIGE EN TOEGEPASTE BIOLOGISCHE, vol. 60, no. 3A, 1995, pages 707-711, 1995</p>	
A	<p>--- NEMER M ET AL: "STRUCTURE SPATIAL AND TEMPORAL EXPRESSION OF TWO SEA URCHIN METALLOTHIONEIN GENES SPMTB-1 AND SPMTA" JOURNAL OF BIOLOGICAL CHEMISTRY, vol. 266, no. 10, 1991, pages 6586-6593, XP002148686 ISSN: 0021-9258 the whole document -----</p>	35

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box 1.2

Claims 4 and 5 refer to a protein having homology to another protein, which comprises a provided sequence. Since the area of homology could lie away from the provided peptide sequence, this claims do in fact not give any characterization of the protein for which protection is sought. The search for said claims, and the claims dependent thereon, is limited to sequences which have at least 55% homology to the provided peptide sequence, comprised within the protein of claim 1.

Similarly, the method of claims 17 and 18 do not characterize in any way the protein of claim 19. Consequently, the search for claim 19, and all claims dependent thereon, has been limited to proteins with extensive homology to those of claim 1, whereby 55% homology to the characterized domain, as used above, is considered sufficiently broad.

Claim 47, finally, refers to a protein which cross-reacts with an antibody against the protein of claim 1. Since the cross-reactivity could occur against a domain outside that defined by seq.ID.1, claim 47 does not define the protein for which protection is sought in any way, thereby making a search for the full scope of the claim impossible. The search has been restricted again to the protein comprising a domain at least 55% homologous to seq.ID.1.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

INTERNATIONAL SEARCH REPORT

Information on patent family members

In International Application No

PCT/GB 00/02457

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
JP 11012280 A	19-01-1999	NONE	

(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property Organization
International Bureau(43) International Publication Date
4 January 2001 (04.01.2001)

PCT

(10) International Publication Number
WO 01/00841 A1(51) International Patent Classification: C12N 15/31,
C07K 14/47, A01H 5/00, C12N 15/86

(21) International Application Number: PCT/GB00/02457

(22) International Filing Date: 23 June 2000 (23.06.2000)

(25) Filing Language: English

(26) Publication Language: English

(30) Priority Data:
9915215.9 29 June 1999 (29.06.1999) GB
9930536.9 23 December 1999 (23.12.1999) GB(71) Applicant (for all designated States except US): ZENECA
LIMITED [GB/GB]; 15 Stanhope Gate, London W1Y
6LN (GB).

(72) Inventors; and

(75) Inventors/Applicants (for US only): GRIFFIN,
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(54) Title: INSECTICIDAL PROTEINS FROM PAECILOMYCES AND SYNERGISTIC COMBINATIONS THEREOF

(57) Abstract: The present invention relates to insecticidal proteins, in particular proteins obtainable from *Paecilomyces* sp such as *Paecilomyces farinosus*. In a preferred embodiment the invention provides insecticidal proteins having the amino acid sequence depicted as SEQ ID No. 1. The invention also provides an insecticidal synergistic protein combination comprising a first insecticidal protein according to the invention in combination with a further protein. Preferably the further protein is an insecticidal crystal endotoxin (CRY) protein. Also provided are polynucleotides encoding the proteins and plants which are capable of producing the proteins or protein combination.

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